

Notice of Allowability

Application No.

10/826,035

Examiner

Daniel C. Crane

Applicant(s)

PERREAULT, DANIEL

Art Unit

3725

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Amendment filed October 14, 2005.
2. ☒ The allowed claim(s) is/are 1-29.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date Hereto.
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Jeremy Laabs on November 2, 2005.

IN THE CLAIMS

Claim 14 has been amended as follows:

14. (Currently Amended) An apparatus for applying an inward force to a medical device comprising:

a mount;

a plurality of blades arranged to form a chamber whose size may be varied, each blade pivotally connected to the mount; and

at least one blade constraining member; ~~and~~

~~a motorized drive device;~~

wherein at least one blade comprises a slot that is slidably engaged with the blade constraining member, the slot having a non-cylindrical opening with a lengthwise axis, a pivot point of the blade being offset from the lengthwise axis; and the ~~motorized drive device~~ mount is arranged to rotate ~~the mount~~ with respect to the blade constraining member.

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18. (Currently Amended) The apparatus of claim ~~14~~ 29, wherein the motorized drive device comprises an electric motor, a linear actuator, a hydraulic drive system or a pneumatic drive system.

19. (Currently Amended) The apparatus of claim ~~14~~ 29, wherein the mount comprises a gear that meshes with a drive gear of the motorized drive device.

22. (Currently Amended) A method of reducing the size of a medical device, the method comprising the steps of:

providing an apparatus for applying an inward force to a medical device, said apparatus comprising a plurality of blades arranged to form a chamber; each blade being pivotally secured to a mount; at least one blade comprising a slot that is slidably engaged with a blade constraining member, the slot having a non-cylindrical opening with a lengthwise axis, a pivot point of the blade being offset from the lengthwise axis; wherein the size of the chamber may be adjusted by rotating the mount with respect to the blade constraining member;

placing a least a portion of a medical device within said chamber; and

rotating the mount with respect to the blade constraining member to reduce the size of the chamber, thereby reducing the size of at least a portion of the medical device.

29. (New) The apparatus of claim 14, further comprising a motorized drive device arranged to rotate the mount.

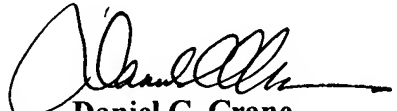
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INQUIRIES

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner D. Crane whose telephone number is (571) 272-4516. The examiner's office hours are 6:30 AM – 5:00 PM, Tuesday through Friday. The examiner's supervisor, Mr. Derris Banks, can be reached at (571) 272-4419.

Documents related to the instant application may be submitted directly by facsimile transmission at all times. The Examiner's Fax number is (571) 273-4516. Applicant(s) is(are) reminded to clearly mark any transmission as "DRAFT" if it is **not** to be considered as an official response. The Office Facsimile Center number is (571) 272-8300.

DCCrane
November 2, 2005



Daniel C. Crane
Primary Patent Examiner
Group Art Unit 3725